REMARKS

Claim 1 is amended to indicate selection of one to at least two video streams for output to a single terminal; claim 4 is amended to indicate a distinct alternative fail-safe video signal; claims 27-30 are canceled without prejudice; claim 31 is amended to indicate that one to at least two video streams may be selected for output to a single terminal and to include further limitations related to relaying a fail-safe analog video signal; and new claims 32-35 are added to claim the invention in alternative language. The amendments are made for the purpose of expediting prosecution and not for patentability, and the claim cancellations are made without prejudice. Applicants reserve the right to pursue subject matter of the original claims (prior to amendment) and subject matter of the canceled claims in subsequent prosecution.

New claims 32-35 are thought to be patentable over the cited prior art. For example, the limitations of and related to the fail-safe relay circuit in combination with the other claim limitations are not thought to be shown or suggested by the cited art. The cited prior art does not appear to teach or suggest, either alone or in combination with claim 32, the specifically claimed structure of the first and second relays in claim 33, the specifically claimed multiple display terminals and input devices of claim 34, nor the specifically claimed means for selecting from a plurality of fail-safe analog video signals of claim 35.

The Office Action fails to establish that claims 1-3, 13, 17, 27, and 31 are anticipated under 35 USC §102(e) by "Dunn" (US patent number 6,154,772 to Dunn et al.). The rejection is respectfully traversed because the Office Action does not show that all the limitations of the claims are taught by Dunn. Dunn's system does not appear to allow selection of one to at least two video streams for output by a single terminal controller. Dunn's adapter modules 1000 (FIG. 13) appear to select only one of multiple video streams for output. Dunn's adapter modules do not appear to support selecting two of the video streams for output to a terminal. Therefore, claims 1 and 31 are not shown to be anticipated by Dunn. Claims 2, 3, 13, and 17 depend from claim 1 and are not shown to be anticipated by Dunn for at least the reasons set forth above.

The Office Action fails to establish that claims 4, 6, 9-12, 18 and 19 are unpatentable under 35 USC §103(a) over Dunn in view of "Chang" (US patent number 6,791,601 to Chang et al.). The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of Dunn with teachings of Chang, and fails to show that the combination could be made with a reasonable likelihood of success.

As to claim 4, the Office Action does not show that Chang suggests the limitations of and related to the plurality of analog video signals from a first plurality of video sources and the plurality of fail-safe analog video signals from a plurality of alternative video source. The alternative video sources are not in the first plurality of video sources. Thus, the plurality of analog video signals input to the digitizer are not the same as the fail-safe analog video signals relayed in the absence of power. Chang shows that a single video source provides a single video signal for input to video capture and for relaying when power fails (FIG. 5). Thus, Chang does not teach the claimed circuitry that provides the fail-safe analog video signals from alternative sources.

The alleged motivation for modifying Dunn with Chang is improper. The alleged motivation is that "it would have been obvious ... to combine the fail-safe mechanism, as taught by Chang, into the system taught by Dunn, in order to ensure that there is no appreciable interruption in the display of the video on the external monitor and that there is a constant feed of live video to the subscriber/user location in case of an otherwise disabling power failure." This alleged motivation is improper because it merely cites the reasons provided by Chang for making Chang's fail-safe circuit. There is no evidence provided that such a circuit would or could be useful in Dunn. Furthermore, Dunn's FIG. 5 shows that video streams are output to customers via a multiplexer and SONET/SDH network. Thus, in the absence of power Dunn's video streams have no where to go. Furthermore, even with Chung's fail-safe circuit and a local terminal as suggested by Chung, customers on the receiving end of Dunn's SONET/SDH network would receive no benefit from a program displayed local to Dunn's control center 100. Therefore, the alleged motivation is improper.

Claims 6, 9-12, 18, and 19 depend from claim 6, and the Office Action does not show that these claims are unpatentable over the Dunn-Chang combination for at least the reasons set forth above.

The rejection of claims 4, 6, 9-12, 18 and 19 over the Dunn-Chang combination should be withdrawn because the Office Action fails to show all the limitations are suggested

by the combination, fails to provide a proper motivation for combining the references, and fails to show that the combination could be made with a reasonable likelihood of success.

The Office Action does not establish that claims 7, 8 and 14-16 are unpatentable under 35 USC §103(a) over the Dunn-Chang combination. Claims 7, 8 and 14-16 are patentable over the Dunn-Chang combination for at least the reasons set forth above for claims 1-6.

As to claims 8 and 15 the Official Notice and alleged motivation are traversed. The alleged motivation for using FPGAs simply recites known advantages of FPGA. These advantages in no way suggest the specifically claimed coupling of the FPGAs and claimed configuration thereof. And no evidence is provided to suggest the claimed coupling and configuration. Therefore, the alleged motivation is conclusory and improper.

The rejection of claims 7, 8, and 14-16 over the Dunn-Chang combination should be withdrawn because the Office Action fails to show all the limitations are suggested by the combination, fails to provide a proper motivation for combining the references, and fails to show that the combination could be made with a reasonable likelihood of success.

The Office Action fails to establish that claim 5 is unpatentable under 35 USC §103(a) over the Dunn-Chang combination in view of "Oftedahl" (US patent number 6,449,768 to Oftedahl et al.). The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of the Dunn-Chang combination with teachings of Oftedahl, and fails to show that the combination could be made with a reasonable likelihood of success.

Claim 5 includes limitations including first and second relays in combination with a multiplexer. The Office Action does not show that Oftedahl suggests a multiplexer, nor does the Office Action show that Oftedahl suggests the claimed coupling of the two relays to the multiplexer. Oftedahl does not explain that his combiner functions as a multiplexer, nor is it generally understood that a combiner operates as a multiplexer. Furthermore, the claimed second relay has an input port coupled to the output port of the claimed multiplexer. Oftedahl's combiner is coupled to outputs of both relays. Therefore, the Office Action does not show that the Dunn-Chang-Oftedahl shows all the limitations of claim 5.

The rejection of claim 5 over the Dunn-Chang-Oftedahl combination should be withdrawn because the Office Action fails to show all the limitations are suggested by the

combination, fails to provide a proper motivation for combining the references (no motivation is even alleged), and fails to show that the combination could be made with a reasonable likelihood of success.

The Office action fails to establish that claims 20-26 and 28-30 are unpatentable under 35 USC §103(a) over Dunn in view of "Wicker" (US patent number 6,441,857 to Wicker et al.). The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of Dunn with teachings of Wicker, and fails to show that the combination could be made with a reasonable likelihood of success.

The Office Action does not show that Wicker suggests the limitations of the first clock rate at which digital video data are generated between twice the clock rate at which the multiplexer multiplexes the digital video data. The Office Action cites Wicker's encoder (col. 12, l. 50) and Wicker's FIGs. 12 and 13. However, Wicker's FIG.s 12 and 13 illustrate the frequency response of two filters, and do not refer to any apparent multiplexing. Furthermore, the alleged frequency ratio is the inverse of that claimed. Therefore, the Office Action does not show that the Dunn-Wicker combination suggests the limitations of claim 20.

The alleged motivation for modifying Dunn with Wicker is improper. The alleged motivation states that "it would have been obvious ... to implement the clock ratios of Wicker into the system of Dunn, in order to allow for faster processing and for more throughput." However, this alleged motivation is improper because Wicker's circuitry would have no apparent use in Dunn. Dunn' system is for delivery of digital video and data over a communication channel. In contrast, Wicker's apparatus is for horizontally scaling computer video data for display on a television. Dunn's system would have no apparent need for Wicker's circuitry since Dunn has no need to convert digital video data to an analog video signal. The alleged motivation is also improper because no evidence is cited to indicate that Dunn's system is in any way slow and no evidence is provided to explain what "faster processing" would be accomplished. Thus, the alleged motivation is improper.

Claims 21-26 depend from claim 20 and are patentable over the Dunn-Wicker combination for at least the reasons set forth above. Claims 28-30 are canceled and the rejection is now moot.

The rejection of claims 20-26 and 28-30 over the Dunn-Wicker combination should be withdrawn because the Office Action fails to show all the limitations are suggested by the

combination, fails to provide a proper motivation for combining the references, and fails to show that the combination could be made with a reasonable likelihood of success.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the remarks set forth above.

Respectfully submitted,

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